

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

ROBERT NELL,
Plaintiffs,

vs.

AUTO OWNERS INSURANCE
COMPANY,
Defendants.

CV-23-41-BU-BMM

ORDER

Robert Nell (“Nell”) brought this action against Auto Owners Insurance Company (“Auto Owners”), alleging violations of Montana’s Unfair Trade Practices Act. (Doc. 7.) Auto Owners contests this Court’s jurisdiction over the claim. (Doc. 3.) The Court heard argument from the parties on Auto Owners’s Motion to Dismiss for Lack of Personal Jurisdiction (Doc. 3) and Nell’s Motion to Amend Complaint (Doc. 13) on November 2, 2023. (Doc. 31.)

The Court directs the parties to submit simultaneous supplemental authority as to the distinction between first-party claims and third-party claims tort against a foreign entity for purposes of analyzing personal jurisdiction. The Court instructs the parties to discuss, in particular, authority regarding bad faith negotiation or similar claims. The Briefs shall not exceed 5 pages.

Accordingly, **IT IS ORDERED:**

Parties shall submit simultaneous briefing, not to exceed 5 pages in length, on or before November 9, 2023, at five o'clock in the afternoon.

DATED this 2nd of November, 2023.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court